

REMARKS

This amendment is in response to the Official Action dated August 5, 2004. Claims 12-14, 16-20 have been cancelled and Claims 1, 4, 5, 11 and 15 have been amended. The application now includes Claims 1-11 and 15 with Claims 1, 5 and 7 being the only independent claims. Favorable reconsideration, in view of the above amendments and accompanying remarks, is respectfully requested.

Initially, it is noted that in paragraph 2 of the Official Action, the Examiner has rejected Claims 1, 5 and 7 under 35 USC 112, second paragraph for the reasons noted therein. In particular, the Examiner states that "There is an intended use of the device in a casting apparatus that includes a definition of the casting apparatus. However, there is further a definition of the claimed extraction device that is claimed to be disposed in the stationary mold section during casting of a cast part. It is unclear if there is a combination of the claimed invention. Examiner in interpreting the claimed structure will determine the claimed structure is positioned in a generic mold half." It is believed that this rejection should only be proper with respect to Claims 1 and 5. As will be discussed below, Claims 1 and 5 have been amended in a manner which is believed to overcome this rejection. With respect to Claim 7, the claim clearly recites that the claim is for a casting apparatus and that the casting apparatus includes the structures recited following the preamble in the body of the claim.

In paragraph 3 of the Official Action, the Examiner has rejected Claims 4, 11 and 17 under 35 USC 112, second paragraph, for the reasons noted therein. It is believed that the above amendments to Claims 4 and 11 overcome this rejection.

In paragraph 6 of the Official Action, the Examiner has rejected Claims 1, 2, 4, 5, 7, 9 and 11-20 under the provisions of 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,807,682 to Catinella et al. These rejections are respectfully traversed in light of the amendments to the claims and/or for the following reasons.

As amended Claim 1 now defines the invention as a casting apparatus comprising: a moveable mold section and a stationary mold section, wherein when the moveable mold section is in a closed position and in contact with the stationary mold section a part shape cavity is defined; and a manually operated extraction member

disposed in the stationary mold section during the casting of a cast part, said extraction member disposed adjacent the part shape cavity and selectively moveable between a first position, wherein said manually operated extraction member cooperates with the mold sections to form a part of the part shape cavity, and a second position, wherein said manually operated extraction member is operative to engage and eject a stuck cast part from the stationary mold section of the part shape cavity. None of the cited references discloses or suggests such a casting apparatus.

As discussed above, in paragraph 2 of the Official Action the Examiner interpreted the claimed structure positioned in a generic mold half. As amended, Claim 1 claims the invention a casting apparatus and specifically recites that the casting apparatus includes a stationary mold section and a manually operated extraction member which is disposed in the stationary mold section during the casting of a cast part, the extraction member disposed adjacent the part shape cavity and selectively moveable between a first position, wherein the manually operated extraction member cooperates with the mold sections to form a part of the part shape cavity, and a second position, wherein the manually operated extraction member is operative to engage and eject a stuck cast part from the stationary mold section of the part shape cavity. Thus, as now claimed in Claim 1, the claimed structure is not positioned in a generic mold half. In view of this, the claimed structure is not disclosed or suggested in the U.S. Patent No. 3,807,682 to Catinella et al. Catinella et al. discloses an accelerated knock-out (22) which, is actuated automatically during each cycle as part of the normal operation of the machine, so as to eject or knock out the molded part (17) from the moveable mold block (11) of the machine. Thus, Catinella et al. only discloses an automatic knock-out (22) for ejecting a part from the moveable block during the normal operation of the machine, i.e., during each cycle of the movement of the moveable block of the machine. The knock-out (22) in Catinella et al. would not operate or function as intended if the block (11) did not move. There is no teaching or suggestion in Catinella et al. as providing a “knock-out” for ejecting a stuck part from the stationary block, i.e., block (12) in Catinella et al. Thus, Catinella et al. does not disclose or suggest a knock-out/extraction member which can

be operated when it is desired to remove a stuck cast part from the stationary mold section of the machine, i.e., mold block (12) in Catinella et al., as recited in Claim 1. The present invention clearly relates to an extraction member which can be operated to remove a stuck cast part from the stationary mold section of the casting apparatus. Specifically, Claim 1 recites that the casting apparatus includes a stationary mold section and a manually operated extraction member which is disposed in the stationary mold section during the casting of a cast part and is selectively moveable between a first position, wherein the manually operated extraction member cooperates with the mold sections to form a part of the part shape cavity, and a second position, wherein the manually operated extraction member is operative to engage and eject the stuck cast part from the stationary mold section of the part shape cavity. None of the cited references discloses or suggests such a casting apparatus structure. Thus, it is believed that Claim 1, along with dependent Claims 2, 3, 4 and 15, are patentable over the cited references.

Claim 5 has been amended in a manner similar to Claim 1. Thus, for those reasons discussed above with respect to Claim 1, it is believed that Claim 5, along with dependent Claim 6, are patentable over the cited references.

As discussed above, Claim 7 clearly recites that the claim is for a casting apparatus and that the casting apparatus includes the structures recited following the preamble in the body of the claim. Claim 7 does not position the claimed structure in a generic mold section. Thus, since Claim 7 generally includes the same limitations of Claim 1, for those reasons discussed above with respect to Claim 1 it is believed that Claim 7, along with dependent Claims 8, 9, 10 and 11, are patentable over the cited references.

In view of the above amendments and accompanying remarks, it is believed that the application is in condition for allowance. However, if the Examiner does not believe that the above amendments to the claims place the application in condition for allowance, the undersigned attorney respectfully requests a telephone conference with the Examiner to discuss the application and the prior art references prior to the issuance of a final action by the Examiner.